

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ELIZA WESTBROOK,

Plaintiff,

CIVIL ACTION NO. 06-13703

v.

DISTRICT JUDGE ANNA DIGGS TAYLOR

ALLSTATE INSURANCE CO.,

MAGISTRATE JUDGE VIRGINIA MORGAN

Defendant.

**ORDER GRANTING DEFENDANT'S MOTION
FOR MORE DEFINITE STATEMENT**

This matter is before the court on defendant's Motion for More Definite Statement filed November 13, 2006 (D/E 7). A hearing on the motion was held before the magistrate judge on December 20, 2006. For the reasons stated on the record,

IT IS ORDERED that the motion IS GRANTED. Plaintiff alleges that there is diversity jurisdiction but has not set forth the legal basis for the claim against defendant or how the requisite amount of \$75,000.00 is reached. Plaintiff must file an amended complaint conforming with the Federal Rules of Civil Procedure setting forth the factual basis and legal claims that she has. If she is seeking only to re-litigate the state court case, plaintiff is advised that she may be sanctioned.

IT IS FURTHER ORDERED that the amended complaint must be filed by January 30, 2007.

s/Virginia M. Morgan
VIRGINIA M. MORGAN
UNITED STATES MAGISTRATE JUDGE

Dated: December 28, 2006

CERTIFICATE OF SERVICE

I hereby certify on December 28, 2006 that I electronically filed the foregoing paper with the Clerk of the Court sending notification of such filing to all counsel registered electronically. I hereby certify that a copy of this paper was mailed to the following non-registered ECF participants on December 28, 2006. **Eliza Westbrook.**

s/Michael E. Lang
Deputy Clerk
(313) 234-5217